

§51.3742

meet the requirements of U.S. No. 1 grade except for the increased tolerances for defects. (See §51.3744.)

§51.3742 U.S. No. 2.

“U.S. No. 2” consists of honey dew or honey ball type melons which are mature, firm, fairly well formed, free from decay and free from serious damage by any cause. (See §51.3744.)

UNCLASSIFIED

§51.3743 Unclassified.

“Unclassified” consists of melons which have not been classified in accordance with any of the foregoing grades. The term “unclassified” is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

TOLERANCES

§51.3744 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by count, are provided as specified:

(a) *U.S. No. 1.* 10 percent for melons in any lot which fail to meet the requirements of the grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing serious damage, including in this latter amount not more than 1 percent for melons affected by decay.

(b) *U.S. Commercial.* 20 percent for melons in any lot which fail to meet the requirements of this grade: *Provided*, That not more than one-fourth of this amount, or 5 percent, shall be allowed for defects causing serious damage, including in this latter amount not more than 1 percent for melons affected by decay.

(c) *U.S. No. 2.* 10 percent for melons in any lot which fail to meet the requirements of this grade including not more than 1 percent for melons affected by decay.

APPLICATION OF TOLERANCES

§51.3745 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection,

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are subject to the following limitations:

(a) For a tolerance of 10 percent or more, individual packages shall have not more than 1½ times the tolerance specified: *Provided*, That when the package contains 15 specimens or less, any individual package shall have not more than double the tolerance specified, except that at least one defective specimen may be permitted in any package: *And provided further*, That the averages for the entire lot are within the tolerances specified for the grade.

(b) For a tolerance of less than 10 percent, individual packages in any lot shall have not more than double the tolerance specified, except that at least one defective specimen may be permitted in any package: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade.

DEFINITIONS

§51.3746 Mature.

Mature means that the melon has reached the stage of maturity which will insure the proper completion of the normal ripening process.

§51.3747 Well formed.

Well formed means that the melon has the normal shape characteristic of the variety.

§51.3748 Damage.

Damage means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or marketing quality of the melon.

(a) The following specific defects shall be considered as damage:

(1) Sunburn which causes the rind to become brownish in color, hard, tough, or thin; and,

(2) Bruising when the size or color of the affected area materially detracts from the appearance.

(b) The following blemishes shall not be considered as damage:

(1) Slight bruising caused by light pressure of the weight of other melons or from lidding of the crate;

- (2) Yellow spots;
- (3) Superficial hail spots;
- (4) Slight surface scratches caused by picking or packing; or,
- (5) Netting, either raised or occurring as very shallow cracks in the skin.

§ 51.3749 Serious damage.

Serious damage means any defect or any combination of defects which seriously detracts from the appearance, or the edible or marketing quality of the melon.

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS¹

NOTE: Compliance with the provisions of the standards set forth in this part shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act (or with applicable State laws and regulations).

Subpart—Regulations Governing Inspection and Certification

Sec.

- 52.1 Administration of regulations.

DEFINITIONS

- 52.2 Terms defined.
- 52.3 Designation of official certificates, memoranda, marks, other identifications, and devices for purposes of the Agricultural Marketing Act.

INSPECTION SERVICE

- 52.4 Where inspection service is offered.
- 52.5 Who may obtain inspection service.
- 52.6 How to make application.
- 52.7 Information required in connection with application.
- 52.8 Filing of application.
- 52.9 Record of filing time.
- 52.10 When application may be rejected.
- 52.11 When application may be withdrawn.
- 52.12 Disposition of inspected sample.
- 52.13 Basis of inspection and grade or compliance determination.
- 52.14 Order of inspection service.
- 52.15 Postponing inspection service.
- 52.16 Financial interest of inspector.

¹Among such other processed food products are the following: Honey; molasses, except for stockfeed; nuts and nut products, except oil; sugar (cane, beet, and maple); sirups (blended), sirups, except from grain; tea; cocoa; coffee; spices; condiments.

- 52.17 Forms of certificates.
- 52.18 Issuance of certificates.
- 52.19 Issuance of corrected certificates.
- 52.20 Issuance of an inspection report in lieu of an inspection certificate.
- 52.21 Disposition of inspection certificates.
- 52.22 Report of inspection results prior to issuance of formal report.

APPEAL INSPECTION

- 52.23 When appeal inspection may be requested.
- 52.24 Where to file for an appeal inspection and information required.
- 52.25 When an application for an appeal inspection may be withdrawn.
- 52.26 When appeal inspection may be refused.
- 52.27 Who shall perform appeal inspection.
- 52.28 Appeal inspection certificate.

LICENSING OF SAMPLERS AND INSPECTORS

- 52.29 Who may become licensed sampler.
- 52.30 Application to become a licensed sampler.
- 52.31 Inspectors.
- 52.32 Suspension or revocation of license of licensed sampler or licensed inspector.
- 52.33 Surrender of license.

SAMPLING

- 52.34 How samples are drawn by inspectors or licensed samplers.
- 52.35 Accessibility for sampling.
- 52.36 How officially drawn samples are to be identified.
- 52.37 How official samples are to be identified and shipped.
- 52.38 Sampling plans and procedures for determining lot compliance.
- 52.38a Definitions of terms applicable to statistical sampling.
- 52.38b Statistical sampling procedures for on-line inspection by attributes of processed fruits and vegetables.
- 52.38c Statistical sampling procedures for lot inspection of processed fruits and vegetables by attributes.
- 52.39 Issuance of certificate of sampling.
- 52.40 Identification of lots sampled.

FEES AND CHARGES

- 52.41 Payment of fees and charges.
- 52.42 Schedule of fees.
- 52.43 Fees to be charged and collected for sampling when performed by a licensed sampler.
- 52.44 Inspection fees when charges for sampling have been collected.
- 52.45 Inspection fees when charges for sampling have not been collected.
- 52.46 Fee for appeal inspection.
- 52.47 Changing types of service.
- 52.48 Charges for plant survey and inspection.